



10-01-01



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 266/200
First Named Inventor: Ann Rhee et al.
Prior Application Information:
Serial No. 09/141,664, and
Serial No. 09/141,666

Assistant Commissioner for Patents
Box Patent Application
Washington, D. C. 20231

FILING UNDER 37 CFR § 1.53(b)

This is a request for filing for a

continuation divisional continuation-in-part (CIP)

application under 37 CFR § 1.53(b) of pending prior application Serial No. 09/141,664 filed on August 28, 1998, and Serial No. 09/141/666 filed on August 28, 1998, this application having as inventors:

Ann Rhee, Sumanta K. Chatterjee, and Juan R. Loaiza, entitled:

METHODS FOR SELECTIVELY QUIESCING A COMPUTER SYSTEM

I. APPLICATION ELEMENTS ENCLOSED

30 Page(s) of Written Description
6 Page(s) of Claims
1 Page(s) of Abstract
11 Sheet(s) of Drawings formal informal
3 Page(s) of Declaration or Declaration and Power of Attorney

Copy from prior application [37 CFR § 1.63(d)]
 Newly executed

Other: Assignment, return confirmation post card, power of attorney, recordation cover sheet

Assignment papers (cover sheet and documents(s))
 An Information Disclosure Statement, PTO 1449, with copies of cited items.

CERTIFICATE OF MAILING
(37 C.F.R. § 1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

EL 476731607US
Express Mail Label No.

Tillie Mead
Name of Person Mailing Paper

September 27, 2001
Date of Deposit

Tillie Mead
Signature of Person Mailing Paper OC-92986.1

Request and Certification under 35 U.S.C. § 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35

II. FEE CALCULATION

Applicant claims small entity status under 37 CFR 1.27.

BASIC FILING FEE:						\$710.00
Total Claims	24	-	20	=	4	x \$18.00
Independent Claims	9	-	3	=	6	x \$80.00
Multiple Dependent Claims	\$270	(if applicable)				\$0.00
TOTAL OF ABOVE CALCULATIONS						\$1,262.00
Reduction by ½ for Filing by Small Entity.						\$0.00
Misc. Filing Fees (Recordation of Assignment)						\$40.00
TOTAL FEES DUE HEREWITH						\$1,302.00

III. PRIORITY - 35 USC § 119

Priority of application Serial No. _____ filed on _____ in Country is claimed under 35 USC § 119.

The certified copy has been filed in prior U.S. application Serial No. _____ on _____.

The certified copy will follow.

IV. AMENDMENTS

Cancel in this application original Claims _____ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes if no new claims are added in a preliminary amendment.)

A Preliminary Amendment is enclosed. (Claims added by Amendment must be numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

V. RELATE BACK - 35 USC § 120

- Relate back information included in preliminary amendment or specification.
- Please amend the specification as follows:
[Enter continuing data here]
- With respect to the prior co-pending U.S. application from which this application claims benefit under 35 USC § 120, the inventor(s) in this application is (are) [37 CFR 1.53(b)(1)]:
 - the same.
 - less than those named in the prior application and it is requested that the following inventor(s) identified above for the prior application be deleted [see 37 CFR §§1.33(b) AND 1.63(d)(2)]:
[Name(s) of inventor(s) to be deleted]

VI. METHOD OF PAYMENT OF FEES

- Attached is a check in the amount of ____.
- Charge Lyon & Lyon's Deposit Account No. **12-2475** in the amount of **\$1,302.00**.
- Not attached. No filing fee is submitted. [This and the surcharge required by 37 CFR § 1.16(e) can be paid subsequently.]

VII. AUTHORIZATION TO CHARGE ADDITIONAL FEES

The Commissioner is hereby authorized to credit Lyon & Lyon's Deposit Account No. **12-2475** for any over payment of fees and to charge the following additional fees by this paper and during the entire pendency of this application to Deposit Account No. **12-2475**:

- 37 CFR § 1.16 (Filing fees and excess claims fees)
- 37 CFR § 1.17 (Application processing fees)
- 37 CFR § 1.21 (Assignment recordation fees)

VIII. POWER OF ATTORNEY & CORRESPONDENCE ADDRESS

- The power appears in the original papers in the prior application.
- The power does not appear in the original papers, but was filed on _____ in prior application Serial No. _____.
- A new power has been executed and is attached.

Please send all correspondence to Customer Number 22249:



22249

PATENT TRADEMARK OFFICE

LYON & LYON LLP
Suite 4700
633 W. Fifth Street
Los Angeles, CA 90071
(213) 489-1600

Please direct all inquiries to Don Daybell, at the above Customer Number.

IX. MAINTENANCE OF CO-PENDENCY OF PRIOR APPLICATION

- A petition, fee and response has been filed to extend the term in the pending **prior** application until _____. A copy of the petition for extension of time in the **prior** application is attached.
- A conditional petition for extension of time is being filed in the pending **prior** application. A copy of the conditional petition for extension of time in the **prior** application is attached.

X. ABANDONMENT OF PRIOR APPLICATION

- Please abandon the prior application at a time while the prior application is pending or when the petition for extension of time or to revive in that application is granted and when this application is granted a filing date so as to make this application co-pending with said prior application. At the same time, please add the words "now abandoned" to the amendment of the specification set forth in Item V above.

Respectfully submitted,

LYON & LYON LLP

Dated: 9/27/2001

By: 

Ivan Posey
Reg. No. 43,865

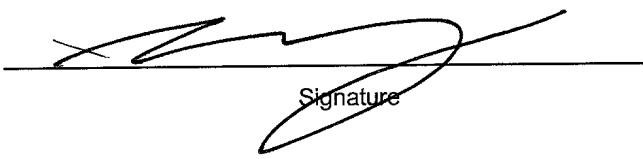
Enclosures

REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)		First Named Inventor	Ann Rhee
Title	METHODS FOR SELECTIVELY QUIESCING A COMPUTER SYSTEM		
		Atty Docket Number	266/202

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

09/27/2001

Date



Signature

Ivan Posey

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231